

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DEBORAH DAILEY	:	CIVIL ACTION
	:	
v.	:	NO. 16-1331
	:	
CITY OF PHILADELPHIA, <i>et al.</i>	:	


ORDER

AND NOW, this 2nd day of October 2019, upon studying Defendants' Motion to dismiss (ECF Doc. No. 80), Plaintiff's Opposition (ECF Doc. No. 84), Defendants' Reply (ECF Doc. No. 88), Plaintiff's Motion for partial summary judgment (ECF Doc. No. 85), Defendants' Opposition (ECF Doc. No. 89), Plaintiff's Reply (ECF Doc. No. 90), Defendant City's supplemental memorandum filed upon leave (ECF Doc. No. 92) and Plaintiff's Opposition, following oral argument, and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. Defendants' Motion to dismiss (ECF Doc. No. 80) is **GRANTED upon consent in part as to certain Defendants** requiring we **dismiss** Defendants Board of Pensions; and, in their personal and official capacities, Francis Bielli, Executive Director of the Board of Pensions; Robert Dubow, the Director of Finance and Chairman of the Board of Pensions; Robert Stagliano, Vice Chairman of the Board of Pensions; Alan Butkovitz, City Controller and Board member; and Board members Sozi Tulante, Michael DiBerardinis, Albert D'Attilio, Brian Coughlin, Veronica Pankey, and Carol Stukes-Baylor;

2. Defendants' Motion to dismiss (ECF Doc. No 80), as supplemented after notice we may consider summary judgment (ECF Doc. No. 92) is **GRANTED** as to the remaining Defendant City of Philadelphia as there are no genuine issues of material fact precluding judgment in favor of the City of Philadelphia as a matter of law;

3. Plaintiff's Motion (ECF Doc. No. 85) is **DENIED**; and,
4. As today's Order disposes of all claims, the Clerk of Court shall **close** this case.



KEARNEY, J.